

FILED

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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
SANTA ANA

BY

DK

PAUL MERRITT

Name: _____

Address: P.O. Box 9145

Laguna, CA 92652

Phone: (949) 249-2492

Fax: _____

In Pro Per

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

PAUL MERRITT
Certified Candidate U.S.
Senate Election JUNE 2016
petitioner
Hon. Alex Padilla
California Sec. of STATE
Respondent
Defendant(s).

CASE NUMBER:

SACV 16-00606 DOC (JCGX)

To be supplied by the Clerk of
The United States District Court

Petition Writ of Mandamus
and Prohibition,
Extraordinary Writs

Paul Merritt , in pro persona
Certified Candidate U.S. Senate Election
June 2016
p.o. box 9146 Laguna, Ca. 92652
tel. 949 249 2492

PETITIONER

UNITED STATES FEDERAL CIRCUIT COURT
for the **Central United States District Court** [Orange County , California]

**Petition Writ of Mandamus and
And Prohibition , Extraordinary
Writs**

Respondent

HON. ALEX PADILLA
California Secretary of State Elections division
1500 11th Street Sacramento, CA. 95814

Writ to compel, correct and Publish U.S. Senate Ballot Designation
as INDEPENDENT or, alternatively registered Independent voter

- 1 Notice of filing Superior Court of California / Sacramento
- 2 Jurisdiction of FEDERAL COURT
- 3 Facts in support of Writ, Exhibits, argument, Case [s] and declaration in support of Writ , Motion to Recuse Atty General Kamala Harris / A.G.
4. Proposed Order
5. proof of mailing

Merritt
3/30/2016

1. PAUL MERRITT CERTIFIED CANDIDATE
2. For California U.S. Senate Election June 7th 2016
3. P.O. Box 9145 Laguna, California 92652
4. Tel. 949 249 249 2 PETITIONER
5. .
6. United States Federal Circuit Court
7. Central District of California [Orange County, California]
8. .
9. In re Petition by Paul Merritt Certified Candidate for U.S. Senate
10. California June 2016 Primary Presidential Election
11. Writ of Mandamus and Prohibition, and Other Extraordinary Writs
12. EMERGENCY ORDER
13. Real party of Interest Hon. Alex Padilla California Secretary of State
14. 1500 11th street Sacramento CALIFORNIA 95814
- 15..
16. Writ to compel publication of Petitioner's Ballot Designation as
17. INDEPENDENT or, alternatively Independent Registered Voter
18. .
19. Jurisdiction of subject matter. 1st Amendment U.S. CONSTITUTION
20. State of California interference Cal. STATE AND U.S.
21. CONSTITUTION " freedom of political speech"
22. 2. The Election as above stated is for a U.S. FEDERAL office
23. 3. The California Secretary of State has acted without State
Court
24. Or, administrative notice / [hearing] or, consent of the
25. Petitioner Candidate Paul Merritt [hereinafter referred to as
26. Merritt]
27. FACTS supporting the WRIT petition.
28. On or before March 11th 2016 Merritt was Certified and did fully

1. Register for the June 2016 Presidential California Election as a qualified candidate for the OFFICE of UNITED STATES Senator for the Federal House of Representatives.

ON February 19th 2016 at 2.43 pm a DECLARATION OF CANDIDACY for Voter-Nominated Offices was accepted and Certified by the Orange County Registrar of Voters, in Santa Ana, California ... the agent acting for the California Secretary of State Hon. Alex Padilla.

The core issue is that at the inception of the Declaration... marked and delineated under PARTY PREFERENCES Merritt indicated Registered Independent Voter. In reliance and on the same document [exhibit "A"] The OATH OF OFFICE for Both the U.S. Constitution and the State of California Constitution was administered and sworn by Merritt. The acceptance of the Rights enumerated by both Constitutions are inclusive and without dilution the Right of protected freedom of speech.

Subsequent to the filing and registration of the demarcation of REGISTERED INDEPENDENT VOTER, the California Secretary of State created and publicly disseminated [exhibit " B"] A STATEWIDE public document and information Listing of all Certified Candidates a "Voter Information Guide"

Within this Guide "B" Merritt is specifically designated as INDEPENDENT under the section of Party. Merritt relied and accepted as complete this designation.

Also noted is the demarcation of Candidate Kamala Harris as Democrat...although no party is called Democrat, it is commonly know as the Democratic Party. No objection or, modification or, correction was made to the Kamala Harris designation.

Second, on the same Exhibit "B" a Candidate Mr. Jason Hananis was also listed as No Party Preference. No objection or, modification was made to date to this "Party " designation.

Other "Party " registerants to Exhibit "B" are also listed as INDEPENDENTS. It is believed those Candidates also completed a Declaration of Candidacy sheet listing only... Independent.

On or around March 23rd 2016 in casual telephonic conversation with the County of Orange Registrar of Voters Merritt was informed that the

Secretary of State Alex Padilla or, his agents had printed and published statewide in California a new document striking and modifying and changing the Merritt Independent "Party " to "No Party Preference" This change of the Declaration of Candidacy was effected unilaterally without notice of CONSENT to or, by Merritt.

On March 23rd 2016 Merritt delivered to the Secretary of State Mr. Alex Padilla ... prior to the end of "public comment" of March 26th 2016 a Formal written Objection to the "changed" U.S. Senate Election format wherein Merritt's designation of Independent was removed and substituted as No Party Preference.

The reasonable and non-conflicting [as no Party called "independent " had qualified for a U.S. Senate Ballot];in the afore specified primary Election" could argue usurping of their Party credentials' ...nor did such a Party object to the Merritt Independent Classification.

Never-the-less, the Secretary of State for California has interfered with the POLITICAL FREE SPEECH outside of Election code[s] [exhibit "C"] and attempted to derail Merritt's straightforward campaign for U.S.Senate Election as an INDEPENDENT candidate not affiliated with Any [emp. Added] political registered Party.

The facts further show that [exhibit "B"] bias and favoritism by allowing the candidate Attorney General Kamala Harris to name a Party "Democrat" that is in fact not the correct name of a Party... albeit Democratic.

Additionally, the substantive due process is denied [non-petitioner] candidate Mr. Jason Hanania [exhibit "A"] the dilution of his free speech right of identifying himself as a NO Party Preference.

The procedural due process violated by the un-toward Secretary of State Mr. Padilla inexplicitly allows a Republican "DuF" to use an AKA on the formal Ballot and a female Candidate for U.S. Senate to say she is President Chritina Grappo. No objection[s] or delineations or removals by the Secretary of State are known by the Petitioner Merritt.

Argument and basis for Petition Writ [extraordinary] Relief and prohibitive Orders sought by Petitioner Merritt

1. PETITIONER Merritt was never allowed or provided a notice that the
2. Accepted Ballot designation was altered or changed from Independent
3. To No party preference.
4. .
5. Petitioner Merritt was denied information of the aforesaid "change"
6. and never provided a hearing or response to the OBJECTION timely filed
7. .
8. Among other reasons "NO" next to Merritt 's Ballot Name DESIGNATION
9. Implies the STATE has reviewed and recommended" a position about the candidate
10. No party preference alters the intent and Merritt's overt act of listing and
11. Designation on the Ballot declaration as INDEPENDENT ... thus modification by the SEC. OF STATE is in fact a STATE action violating free speech of Merritt
12. The word NO party preference is deceptive in that it implies Merritt will or could select a PARTY as his Ballot designation.
13. Other candidates on the same BALLOT are given preference to select
14. A PARTY , "NONE", and "no party preference" a violation of equal protection.
15. All other rights reserved at hearing.

Merritt
3/30/2016

PAUL MERRITT in pro persona
Certified U.S. Senate Candidate
June 2016 primary Presidential Election
PETITIONER

WRIT and prohibition and extraordinary et al

SUPPORTING CASE LAW

It is clear that States may, and inevitably must, enact reasonable regulations of parties, elections, and ballots to reduce election- and campaign-related disorder. *Burdick*, supra, at 433, 112 S.Ct., at 2063 ("As a practical matter, there must be a substantial regulation of elections if they are to be fair and honest and if some sort of order, rather than chaos, is to accompany the democratic process") (quoting *Storer v. Brown*, 415 U.S. 724, 730, 94 S.Ct. 1274, 1279, 39 L.Ed.2d 714 (1974)); *Tashjian*, supra, at 217, 107 S.Ct., at 549-550 (The Constitution grants States "broad power to prescribe the 'Time, Places and Manner of holding Elections for Senators and Representatives,' Art. I, §4, cl. 1, which power is matched by state control over the election process for state offices").

When deciding whether a state election law violates First and Fourteenth Amendment associational rights, we weigh the **"character and magnitude"** of the burden the State's rule imposes on those rights against the interests the State contends justify that burden, and consider the extent to which the State's concerns make the burden necessary. *Burdick*, supra, at 434, 112 S.Ct., at 2063-2064 (quoting *Anderson v. Celebrezze*, 460 U.S. 780, 789, 103 S.Ct. 1564, 1570, 75 L.Ed.2d 547 (1983)). **Regulations imposing severe burdens on plaintiffs' rights must be narrowly tailored and advance a compelling state interest.** Lesser burdens, however, trigger less exacting review, and a State's "important regulatory interests" will usually be enough to justify "reasonable, nondiscriminatory restrictions." *Burdick*, supra, at 434, 112 S.Ct., at 2063 (quoting *Anderson*, supra, at 788, 103 S.Ct., at 1569-1570); *Norman*, supra, at 288-289, 112 S.Ct., at 704-706 (requiring "corresponding interest sufficiently weighty to justify the limitation"). **No bright line separates permissible election-related regulation from unconstitutional infringements on First Amendment freedoms.** *Storer*, supra, at 730, 94 S.Ct., at 1279 ("No litmus-paper test . . . separates those restrictions that are valid from those that are invidious The rule is not self-executing and is no substitute for the hard judgments that must be made").

44h, 54h, 64h & 144h USC Amendments

paul merritt

PAUL MERRITT in pro persona
Certified U.S. Senate Candidate
June 2016 primary Presidential Election
PETITIONER

WRIT and prohibition and extraordinary et al

DECLARATION BY PETITIONER MERRITT IN SUPPORT OF WRIT[S] application and ORDER

I Paul Merritt say and declare in support of the attached REQUEST for Writ Order that I am a Certified CANDIDATE for the Federal Office of U.S. Senate.

As attached as an exhibit I timely filed a declaration of candidacy wherein I attached as a my U.S. Senate designation for the Ballot election "registered Independent voter"...

During the Public comment period for the JUNE 2016 Presidential Election the **Regulatory authority distributed and made available to the Public and candidates a formal list of Registration Ballot Designations. I was clearly listed as INDEPENDENT. No objections were made on this classification.**

I strenuously informed the Sec. of State of the multiple reasons why I used and declared my candidacy for U.S. Senate as an INDEPENDENT. My designation was as such was published by the SEC. OF STATE of California. Other candidates used the same designation printed with a document that said SUBJECT TO COURT OBJECTION",... NO such objection[s] were made or, ruled upon by any State Court. In fact on March 29th 2016 after the objection period ended a representative of the Sec. of State Mr. Summers called me and said he had only one modification... some candidate wanted to change their "title" to a neighborhood council person on the Ballot. I didn't object. And, was informed no other objections had been made by any person or group.

This was not true, as I formally objected to the un-noticed and non-hearing event [one day before the public objection time ended] wherein the Sec. of State In fact printed and distributed a CHANGE [emp. added] calling my Ballot designation as "NO party preference"...

I plead orally and in writing that this arbitrary and action of changing my status From LISTED INDEPENDENT to No Party preference was violated of my political free speech. And... due process rights.

During my petition gathering of voter signatures, prior to the Certification ... Qualified voters immediately gravitated to my political position as an INDEPENDENT. When I inferred I was a "no party preference" the public reply was tepid to my candidacy.

INDEPENDENT registered voters have increased in California by millions of persons since 2007.

INDEPENDENT voters are without a Party and thus a misnomer to have the Sec. of State by implication; suggest that a "preference" for a party has not occurred.

INDEPENDENT candidates by this Petitioner Merritt recoil at the printed word, "NO" next to the name of the candidate. This is an overt statement of negativity about those candidate[s]. A State interference with the free exercise of Elections.

The Sec. of State for California listed [exhibit] many INDEPENDENTS" on the Ballot as well as a selected sole "No party preference" and also a "NONE". The Sec. of State is an elected democrat and the leading candidate is a staunch Democrat they have a vested interest in dis-informing the voters of the momentous growth of INDEPENDENT voters and candidates. Their actions [recuse] A.G. are self-serving and caprious.

INDEPENDENT voters have existed prior to any outside political parties monikered as [American] Independents'. Presently the Sec. of State is entertaining a new "party" called Independent Californians. These actions violate political and personal freedom of Association.

America is a land of individuals and the Declaration of Independence announces the right of self-determination. We Americans are ~~a~~ not a totalitarian government that coerces persons or, voters or candidates to become PARTY members in order to hold public office.

No law that Congress has made restricts INDEPENDENTS from becoming elected Members of the Federal government. As such both the State of California and the U.S. Constitution do not constrain or restrict persons Political free speech an Declare and create their Ballot designation as responsibly INDEPENDENT.
Respectfully submitted.,

Paul Merritt certified Candidate for U.S. Senate

March 30, 2016

paul merritt

A handwritten signature in black ink, appearing to read 'Merritt', with a long horizontal flourish extending to the left.

Exhibit "A"

OFFICIAL FILING FORM

DECLARATION OF CANDIDACY

NEAL KELLEY
REGISTRAR OF VOTERSBY: Jessica Antonec
DATE ISSUED: 2/19/16For use in PRIMARY ELECTIONS for
Voter-Nominated Offices
(Elections Code §§ 20, 200, 8002.5, 8020,
8040, 8121, 13105)16 FEB 19 P2:43
REGISTRAR OF VOTERS USE ONLYREGISTRAR OF VOTERS
COUNTY OF ORANGE
CONTEST ID: 1100
CANDIDATE ID: 2I hereby declare myself a candidate for nomination/election to the office of **United States Senator**, to be voted for at the **Presidential Primary Election** to be held on **June 7, 2016** and declare the following to be true:My name is: PAUL MERRITT

I request my name and ballot designation to appear on the ballot as follows:

PAUL MERRITT

Print Your Name for Use on the Ballot

Self-employed

Print Ballot Designation Requested

Candidate initials
if preferring no
ballot designation:

Note: A ballot designation is optional. If one is requested a completed BALLOT DESIGNATION WORKSHEET must be submitted. If no ballot designation is requested, write in the word "NONE" and initial in the box. (Elections Code §§ 13107, 13107.3)

NOTE: The Secretary of State (SOS) will publish one of the addresses below in the certified list of candidates and on the SOS website. Please check the appropriate box to indicate which address you wish to be used for these purposes. If no box is checked, the first address listed below will be published. If a business telephone, residence telephone, FAX number, e-mail address, or website is provided, that information will also be published.☒ Mailing Address: P.O. Box 9145
Laguna CA 92652
City State Zip Code☐ Residence Address: 2175 S. pch #20
Laguna, CA 92651
City State Zip Code
(Required)☐ Business Address: _____
City State Zip CodeTelephone: 949 249-2492 () ()
Area Code Business Area Code Residence Area Code FAXE-mail and Website: _____
E-mail Website

I meet the statutory and constitutional qualifications for this office (including, but not limited to, citizenship and residency). I am at present an incumbent of the following public office (if any): _____

I have not been convicted of a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes.

If nominated/elected, I will accept the nomination/election and not withdraw.

Merritt
Signature of Candidate

IMPORTANT: REVERSE SIDE OF PAGE MUST BE COMPLETED →

A candidate for voter-nominated office shall also complete all of the following:

1. I hereby certify that:

- a) At the time of presentation of this declaration, as shown by my current affidavit of registration, I have disclosed the following political party preference, if any: NONE
- b) My complete voter registration and party affiliation/preference history, from 2006 through the date of signing this document is as follows:

Party Registration	County	Timeframe by Year (e.g., 2006-2007)
<u>Independent</u>	<u>LA</u>	<u>2006 - 2010</u>
<u>no party pref.</u>	<u>OC</u>	<u>2010 - 2016</u>

*Please note that only 10 years of party affiliation/preference history will be provided on the Secretary of State's website. Any information provided regarding affiliation/preference history prior to 2006 will not be included.

2. Pursuant to Section 8002.5 of the Elections Code, select one of the following:

☐ Party Preference: _____ (insert the name of the qualified political party as disclosed upon your affidavit of registration).

☒ Party Preference: None (if you have declined to disclose a preference for a qualified political party upon your affidavit of registration). * Registered Independent voter

2/19/2016
Date

Merritt
Signature of Candidate

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange

Subscribed and sworn to (or affirmed) before me this 19th day of February, 2016, by _____, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Notary Public (or other official) Signature Jessica Cantor

Examined and certified by me this 19th day of February, 2016, NEAL KELLEY, Registrar of Voters By Jessica Cantor
Deputy

WARNING: Every person who, on behalf of a candidate is guilty of a misdemeanor who deliberately fails to file at the proper time and in the proper place any declaration of candidacy in his/her possession shall be liable to be fined under the provisions of the Elections Code. (Elections Code Section 18202)

OATH OF OFFICE

I, PAUL MERRITT, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Merritt
Signature of Candidate

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange

Subscribed and sworn to (or affirmed) before me this 19th day of February, 2016, by _____, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Notary Public (or other official) Signature Jessica Cantor

Examined and certified by me this 19th day of February, 2016, NEAL KELLEY, Registrar of Voters By Jessica Cantor
Deputy

EXHIBIT "B"

**June 7, 2016, Presidential Primary Election
State Voter Information Guide**

United States Senate		
Office	Candidate Name	Party
US Senate	Pamela Elizondo	Green
US Senate	John Estrada	Republican
US Senate	Akinyemi Agbede	Democratic
US Senate	Jerry J. Laws	Republican
US Senate	Loretta Sanchez	Democratic
US Senate	George "DuF" Sundheim	Republican
US Senate	Ling Ling Shi	Independent
US Senate	Paul Merritt	Independent
US Senate	Massie Munroe	Democratic
US Senate	Tim Gildersleeve	Independent
US Senate	President Cristina Grappo	Democratic
US Senate	Don J. Grundmann	Constitution
US Senate	Herbert G. Peters	Democratic
US Senate	Thomas E. Palzer	Republican
US Senate	Douglas Howard Pierce	Democratic
US Senate	Greg Conlon	Republican
US Senate	Karen Roseberry	Republican
US Senate	Al Ramirez	Republican
US Senate	Von Hougo	Republican
US Senate	Jason Hanania	No Party Preference
US Senate	Kamala D. Harris	Democratic
US Senate	Mikelis Beitiks	Independent
US Senate	Jason Kraus	None
US Senate	Donald Edward Krampe	Republican

SUBJECT TO COURT
ORDERED CHANGES

Compose

Archive Move Delete Spam More

Home Paul

Inbox (214)
 Drafts (703)
 Sent
 Archive
 Spam (3)
 Trash
 Smart Views
 Folders (5125)

U.S. SENATE ELECTION PAUL MERRITT INDEPENDENT

People

Merritt Paul <merrittmaster@yahoo.com>

Today at 1:15 PM

To Merritt Paul

June 7, 2016, Presidential Primary Election
 State Voter Information Guide
 United States Senate

Office
 Candidate Name
 Party
 US Senate
 Pamela Elizondo
 Green
 US Senate
 John Estrada
 Republican
 US Senate
 Akinyemi Agbede
 Democratic
 US Senate
 Jerry J. Laws
 Republican
 US Senate
 Loretta Sanchez
 Democratic
 US Senate
 George "Duf" Sundheim
 Republican
 US Senate
 Ling Ling Shi
 Independent
 US Senate
 Paul Merritt
 Independent
 US Senate
 Massie Munroe
 Democratic
 US Senate
 Tim Gildersleeve
 Independent
 US Senate
 President Cristina Grappo
 Democratic
 US Senate
 DonJ. Grundmann
 Constitution
 US Senate
 Herbert G.Peters
 Democratic
 US Senate
 Thomas E. Palzer
 Republican
 US Senate

A candidate for voter-nominated office shall also complete all of the following:

1. I hereby certify that:

- a) At the time of presentation of this declaration, as shown by my current affidavit of registration, I have disclosed the following political party preference, if any: NONE
- b) My complete voter registration and party affiliation/preference history, from 2006 through the date of signing this document is as follows:

Party Registration No party pref.
Independent
No party pref.

County LA
OC

Timeframe by Year (e.g., 2006-2007)

2006 - 2010

2010 2016

*Please note that only 10 years of party affiliation/preference history will be provided on the Secretary of State's website. Any information provided regarding affiliation/preference history prior to 2006 will not be included.

2. Pursuant to Section 8002.5 of the Elections Code, select one of the following:

☐ Party Preference: _____ (insert the name of the qualified political party as disclosed upon your affidavit of registration).

☒ Party Preference: None (if you have declined to disclose a preference for a qualified political party upon your affidavit of registration).

2/19/2016
 Date

* Registered Independent voter
Merritt
 Signature of Candidate

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
 County of Orange

Subscribed and sworn to (or affirmed) before me this 19th day of February, 2016, by _____, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Notary Public (or other official) Signature

Jessica Cantor

Examined and certified by me this 19th day of February, 2016, NEAL KELLEY, Registrar of Voters By Jessica Cantor

WARNING: Every person who is a candidate is guilty of a misdemeanor who deliberately fails to file at the proper time and in the proper place any declaration of candidacy in his/her possession or control as required to be filed under the provisions of the Elections Code. (Elections Code Section 16202)

OATH OF OFFICE

I, PAUL MERRITT, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Merritt
 Signature of Candidate

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
 County of Orange

Subscribed and sworn to (or affirmed) before me this 19th day of February, 2016, by _____, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Notary Public (or other official) Signature

Jessica Cantor

Examined and certified by me this 19th day of February, 2016, NEAL KELLEY, Registrar of Voters By Jessica Cantor Deputy

June 7, 2016
Presidential Primary Election
Candidate Contact Information Form
United States Senate Candidates



The following form shall be used for candidate statements submitted to the Secretary of State's office for inclusion in the state Voter Information Guide for the June 7, 2016, Presidential Primary Election. This form must be submitted to the Elections Division of the Secretary of State's office no later than 5:00 p.m. on Wednesday, February 17, 2016.

- ☐ A maximum of 250 words may be used. Word count standards shall be pursuant to Elections Code section 9.
- ☐ All statements should be typewritten, double-spaced, and in standard paragraph style. Do not use bullets, tables, lists, or other material requiring indentation.
- ☐ Words that are underlined, in italics, in bold, or in all upper-case letters will be typeset in italics.
- ☐ The statement may not make reference to any opponent of the candidate.
- ☐ Please refer to the section in this packet entitled "Candidate Statement Guidelines" for a complete list of requirements.

Candidate's Name:

PAUL MERRITT

Political Party Preference:

Registered Independent Voter

The following optional information will appear with your candidate statement (this information is not included in the 250 word count):

Mailing Address:

P.O. Box 9145
LAGUNA, CALIFORNIA 92652

Phone:

949 244-2492

Email:

ElectMERRITTsenator@yahoo.com

Website:

~~permitted~~ merittforsenate.info

SUBJECT TO COURT
ORDERED CHANGES

Paul Merritt

Paul Merritt Registered Independent voter

California make history... elect an independent Senator Merritt.
Elect an independent thinker. Elect the person, not the Party-in-power's.

Our National government is a shambles.
We need a strong USA defense. Merritt is solid on international issues.

I believe in Faith, respect people and all religions.

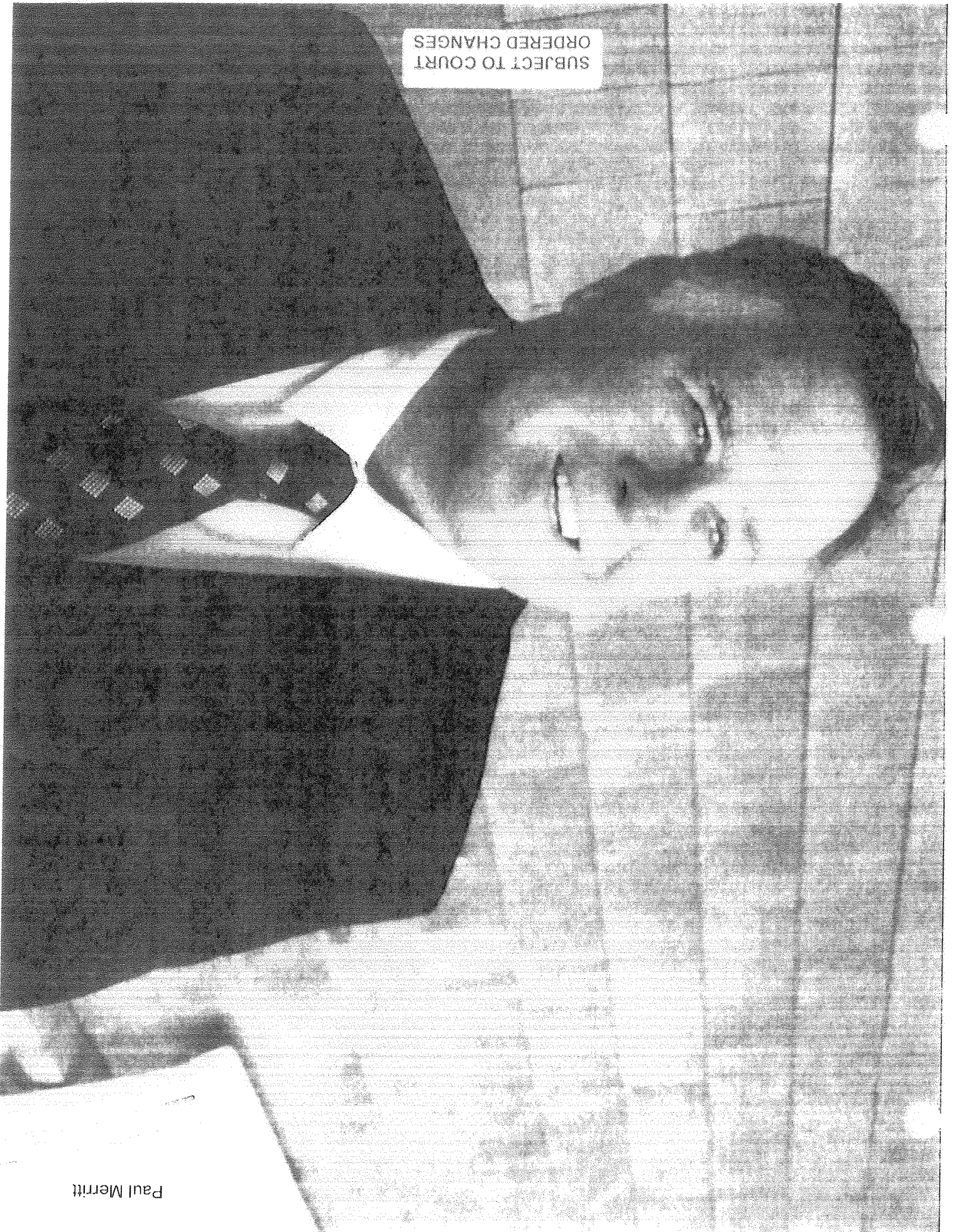
Merritt supports Senator Feinstein's boarder security fence, no offshore oil drilling, and our desert environmental protection Act.
Merritt adheres that President Reagan's idea on small government is best.

Background: two law degrees, broker, hotel owner, elected city councilperson.

Homeowner boards: Palm Springs, Santa Barbara, San Francisco, Orange County. Life member Nature Conservancy.

Most Billionaire Republicans and Union boss Democrats don't represent you!
Merritt is Independent for all Citizens. Paul Merritt is a Californian!

SUBJECT TO COURT
ORDERED CHANGES



Paul Merritt

June 7, 2016
Presidential Primary Election
Candidate Contact Information Form
United States Senate Candidates



The following form shall be used for candidate statements submitted to the Secretary of State's office for inclusion in the state Voter Information Guide for the June 7, 2016, Presidential Primary Election. This form must be submitted to the Elections Division of the Secretary of State's office no later than 5:00 p.m. on Wednesday, February 17, 2016.

- ☐ A maximum of 250 words may be used. Word count standards shall be pursuant to Elections Code section 9.
- ☐ All statements should be typewritten, double-spaced, and in standard paragraph style. Do not use bullets, tables, lists, or other material requiring indentation.
- ☐ Words that are underlined, in italics, in bold, or in all upper-case letters will be typeset in italics.
- ☐ The statement may not make reference to any opponent of the candidate.
- ☐ Please refer to the section in this packet entitled "Candidate Statement Guidelines" for a complete list of requirements.

Candidate's Name: Kamala D. Harris

Political Party Preference: Democrat

The following optional information will appear with your candidate statement (this information is not included in the 250 word count):

Mailing Address: PO Box 78393
San Francisco, CA 94107

Phone: (415) 221-1269

Email: info@kamalaharris.org

Website: www.kamalaharris.org

Kamala D. Harris

My name is Kamala Harris. I am running for the United States Senate because I believe it is time to repair the ladder of opportunity for more Californians and more Americans.

I am proud to be a daughter of California. I was born in Oakland. I went to California public schools. As a lifelong prosecutor, I have always served just one client: The People of California.

As District Attorney of San Francisco and California Attorney General, I got things done for the People of California.

I took on violent predators, including transnational criminal organizations and human traffickers who profit from exploiting women and children.

I also took on the big polluters and the big banks and worked across the aisle to pass the nation's toughest anti-foreclosure law to protect our homeowners.

This is the approach I will bring as your United States Senator.

I will fight for the jobs our people need by bringing home federal dollars that will repair our crumbling water and transportation systems.

I'll fight for better schools and to give every child access to pre-kindergarten and affordable childcare.

I will fight for our veterans who deserve quality health care and job training when they come home.

I'll defend our environment and coast and lead the fight against climate change.

And as a career prosecutor, I will work every day to keep our people safe from terrorism at home and abroad.

Please join me.

Thank you for your consideration.

**SUBJECT TO COURT
ORDERED CHANGES**

Kamala D. Harris

SUBJECT TO COURT
ORDERED CHANGES

**June 7, 2016
Presidential Primary Election
Candidate Contact Information Form
United States Senate Candidates**



The following form shall be used for candidate statements submitted to the Secretary of State's office for inclusion in the state Voter Information Guide for the June 7, 2016, Presidential Primary Election. This form must be submitted to the Elections Division of the Secretary of State's office **no later than 5:00 p.m. on Wednesday, February 17, 2016.**

- ☐ A maximum of 250 words may be used. Word count standards shall be pursuant to Elections Code section 9.
- ☐ All statements should be typewritten, double-spaced, and in standard paragraph style. Do not use bullets, tables, lists, or other material requiring indentation.
- ☐ Words that are underlined, in italics, in bold, or in all upper-case letters will be typeset in italics.
- ☐ The statement may not make reference to any opponent of the candidate.
- ☐ Please refer to the section in this packet entitled "Candidate Statement Guidelines" for a complete list of requirements.

Candidate's Name: JASON HANANIA

Political Party Preference: NO PARTY PREFERENCE

The following optional information will appear with your candidate statement (**this information is not included in the 250 word count**):

Mailing Address: 182 HOWARD ST. #121

SAN FRANCISCO, CA 94105

Phone: (415) 654-6291

Email: 2016@jasonhanania.com

Website: www.jasonhanania.com

**SUBJECT TO COURT
ORDERED CHANGES**

Jason Hanania

01100101.

SUBJECT TO COURT
ORDERED CHANGES

Jason Hanania



**SUBJECT TO COURT
ORDERED CHANGES**

EXHIBIT C

prior to the opening of the nominating period. A written statement of the regulations with respect to charges for handling, packaging, and mailing shall be provided to each candidate or his/her representative at the time he/she picks up the Nomination Papers.

§ 13307(e)

✓ **PUBLIC REVIEW PERIOD:** For all Candidates' Statements filed on or before **March 11, 2016**, the public review period is **March 12, 2016 through March 21, 2016, 5:00 p.m.** For all Candidates' Statements of Qualifications filed during the extended filing period, the public inspection period is **March 17, 2016 through March 26, 2016³, 5:00 p.m.** at the Registrar of Voters' office and on its website.

§ 13313

✓ **CHALLENGING A CANDIDATE'S STATEMENT;** A person may challenge a Candidate's Statement in court during a Public Review Period – **March 12, 2016 through March 21, 2016.** A person may file a writ of mandate or injunction to require the Candidate's Statement to be amended.

§ 13314

✓ No Candidate's Statement may be changed by the candidate after the statement has been filed except as specifically requested by the elections official or mandated by the court to change an unacceptable Candidate's Statement.

§ 13307(a)(3)

IMPORTANT NOTICE TO CANDIDATES IN DISTRICTS THAT ENCOMPASS MORE THAN ONE COUNTY:

All candidates running for office in a district located in more than one county must file Nomination Papers with the county elections official where he/she is domiciled. **HOWEVER**, if a candidate in a multi-county district would like his/her Candidate's Statement (if applicable) to be included in the Sample Ballot Pamphlet distributed in each county of the district, the statement **must** be filed in the office of **each** county's election official. In addition, the cost of printing and handling the Candidate's Statement in each county must be paid to each county elections official. If you desire a statement in Orange County's Sample Ballot Pamphlet, you **MUST** submit your statement and payment at the Orange County Registrar of Voters' office. The fee will vary in each county depending on many factors, including the number of registered voters within that portion of the district. **It is the candidate's responsibility to contact each county to obtain the appropriate information from each county. Failure to do so may jeopardize the printing of the Candidate's Statement of Qualifications. (California Association of Clerks & Election Officials' Candidate Statement Guidelines)**

CANDIDATES IN RUN-OFF CONTESTS IN THE GENERAL ELECTION may re-submit the same Candidate's Statement as printed in the Presidential Primary Election Sample Ballot Pamphlet or present a new statement. The statement accompanied by full payment must be submitted to the Registrar of Voters' office **NO LATER THAN AUGUST 12, 2016, 5:00 P.M. FOR THE GENERAL ELECTION.**

§ 13307

LEGISLATIVE CANDIDATES may re-submit the same Candidate's Statement as printed in the Presidential Primary Election Sample Ballot Pamphlet or present a new statement to the Registrar of Voters' office by **August 17, 2016, 5:00 p.m.** However, legislative candidates may purchase statement space in the pamphlet only if they have agreed to voluntary expenditure limits. If a candidate rejected the voluntary expenditure ceiling in the Presidential Primary Election but did not exceed the ceiling during that election, he/she may amend the Form 501 to accept the expenditure ceiling for the General Election. **The amended Form 501 must be filed within 14 days**

IMPORTANT

Compose

Archive Move Delete Spam More

Up Down X

Inbox (214)

Drafts (703)

Sent

Archive

Spam (3)

Trash

Smart Views

Folders (5125)

U.S. SENATE ELECTION PAUL MERRITT INDEPENDENT

People

Merritt Paul <merittmaster@yahoo.com>

Today at 1:15 PM

To: Merritt Paul

June 7, 2016, Presidential Primary Election
State Voter Information Guide
United States Senate

Office

Candidate Name

Party

US Senate

Pamela Elizondo

Green

US Senate

John Estrada

Republican

US Senate

Akinyemi Agbede

Democratic

US Senate

Jerry J. Laws

Republican

US Senate

Loretta Sanchez

Democratic

US Senate

George "Duf" Sundheim

Republican

US Senate

Ling Ling Shi

Independent

US Senate

Paul Merritt

Independent

US Senate

Massie Munroe

Democratic

US Senate

Tim Gildersleeve

Independent

US Senate

President Cristina Grappo

Democratic

US Senate

Don J. Grundmann

Constitution

US Senate

Herbert G. Peters

Democratic

US Senate

Thomas E. Palzer

Republican

US Senate

A candidate for voter-nominated office shall also complete all of the following:

1. I hereby certify that:

- a) At the time of presentation of this declaration, as shown by my current affidavit of registration, I have disclosed the following political party preference, if any: NONE
- b) My complete voter registration and party affiliation/preference history, from 2006 through the date of signing this document is as follows:

Party Registration	County	Timeframe by Year (e.g., 2006-2007)
<u>Independent</u>	<u>LA</u>	<u>2006 - 2010</u>
<u>No party pref.</u>	<u>OC</u>	<u>2010 - 2016</u>

*Please note that only 10 years of party affiliation/preference history will be provided on the Secretary of State's website. Any information provided regarding affiliation/preference history prior to 2006 will not be included.

2. Pursuant to Section 8002.5 of the Elections Code, select one of the following:

☐ Party Preference: _____ (insert the name of the qualified political party as disclosed upon your affidavit of registration).

☒ Party Preference: None (if you have declined to disclose a preference for a qualified political party upon your affidavit of registration).

2/19/2016
Date

Merritt
Signature of Candidate

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange

Subscribed and sworn to (or affirmed) before me this 19th day of February, 2016, by _____, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Notary Public (or other official) Signature

Jessica Cantor

Examined and certified by me this 19th day of February, 2016, NEAL KELLEY, Registrar of Voters By Jessica Cantor

WARNING: Every person who is a candidate is guilty of a misdemeanor who deliberately fails to file at the proper time and in the proper place any declaration of candidacy in his/her possession which is required to be filed under the provisions of the Elections Code. (Elections Code Section 18202)

OATH OF OFFICE

I, PAUL MERRITT, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Merritt
Signature of Candidate

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange

Subscribed and sworn to (or affirmed) before me this 19th day of February, 2016, by _____, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Notary Public (or other official) Signature

Jessica Cantor

Examined and certified by me this 19th day of February, 2016, NEAL KELLEY, Registrar of Voters By Jessica Cantor Deputy

Paul Merritt U.S. Senate P.O.Box 9145 Laguna,CA 92652

March 23, 2016

California Sec. of State

Attn. J. Curtis, Elections Division

Via Overnight Express Mail zip code 95814

Re. objection [s] U.S. Senate Election format

Ref. Classification / designation PAUL MERRITT Independent

Dear Ms. Curtis,

I have telephoned 3 times during the past 3 weeks and left my return number. My calls and questions were not responded to?

Today, I was told by our O.C. Registrar of Voters that my written and accepted candidacy document has been changed from Independent to No party preference. This change was done without notice or consent. Additionally, I relied on the pre-published S.O.S. attachment clearly publishing my name as an Independent. See copy of ballot submission approvals.

In the past "decline to state" was omitted and modified to "NO Party Preference" to which I Formally object. I am an **Independent** REGISTERED VOTER not affiliated with a Party. Thus, "NO Party Preference" is a misnomer and deceptive to my committed political status. The words imply I am of "any" party. In fact I am Independent from any Party. Also, the word "No" indicates a State consideration to my candidacy. I reject this as without political or legal authority. The word "NO" is derogatory and negative and I don't accept it in connection with my candidacy. Please correct and re-publish my designation. My objection is without legal waiver; and all rights are reserved. This notice is inclusive of my free speech rights as constitutionally protected.

Respectfully,

PAUL MERRITT



Petitioners Ex-parte Motion to Recuse

ATTORNEY GENERAL / CANDIDATE

Kamala Harris [except in her personal capacity as a candidate] by her Office be barred and recused from intervention, representation, participation or, appearing for or with the State of California / Secretary of State [Respondent] Hon. Alex Padilla.

PETITIONER moves on grounds;

including that the California ATTORNEY GENERAL is conflicted to wit // Kamala Harris is a candidate for the same office as the Petitioner [hereinafter referred to as Merritt] and an appearance by the OFFICE OF California Attorney General is a misuse of California Taxpayer funds and a violation of Merritt due process substantive and procedural rights.

Petitioner Merritt also a candidate for the same U.S. Senate office purports that A spending of **Taxpayer funds** by any candidate for our against another candidate Is a violation of Federal Election codes, both the U.S. and California State Constitution[s] and a State interference with Petitioner Merritt political free Speech guaranteed rights; via vis State participation by a government agency of its State ATTORNEY General who is herself a candidate for the Same Federal Office.

On these grounds and others amended or, reserved for Oral argument Merritt asserts that if the COURT finds recusal of the A.G. her agents or representatives appear in this instant matter Merritt will appeal and move the ELECTION be void.

CASE LAW to be briefed subsequently.

Dated March 30, 2016

A handwritten signature in black ink, appearing to read 'Merritt', with a stylized flourish at the end.

petitioner Paul Merritt

Certified Candidate for U.S. Senate 2016

PROPOSED ORDER FOR WRIT AND ANY RELIEF BY THE CIRCUIT COURT OR
ITS U.S. Federal Central District Court for California

Upon review and consideration of the Petitioner Merritt filing for MANDATE
That in connection with the JUNE 2016 PRIMARY BALLOT DESIGNATION
The HON. ALEX PADILLA for and by the California Secretary of STATE
Is commanded and ordered herewith to correct , add, supplement with any and
all Election and Ballot designation material by STATE of California or, its
subsidiary County Registrar of Voters that

As a **designation** upon or with; or in connection to any and all Ballot
matters, for the Presidential Election of June 2016 for the Petitioners office
as certified for Election to the United States Senate
Petitioner be written and declared by this Order under the title as declared
INDEPENDENT or, alternatively listed as; **registered Independent voter**.

The intent of this ORDER shall be for all Ballot designation purposes [as afore-
stated] as liberally construed.

The Clerk of the United States Federal district Court is to immediately serve upon
the parties this Order hereby granted and affirmed.

Dated

HON.

PROOF OF Mailing

I Cindy Boye a U.S. Citizen , over 21 years of age, and not a party to this
Petition for Writ or Prohibition and Other Extraordinary Writs , Exparte Motion
State by the Laws of the United States; sworn under penalty of perjury, that on
this day of March 30, 2016
With 1st class postage affixed I mailed from a PALM SPRINGS, California Post office

To:

Superior Court of California// office of the CLERK
720 9th street Sacramento Calif 95814 NOTICE OF FEDERAL Petition Writ

Hon. Alex Padilla /// ELECTIONS DIVISION
California Secretary of State
1500 11th street
Sacramento California 95814

By Cindy Boye



575 villa court ste 100
Palm Springs California 92262